

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

TARA HILLS DRIVE LIMITED,

Plaintiff,

v.

DARRYL PETKER, et al.,

Defendants.

Case No. 11-cv-06610-EDL

**ORDER RE JOINT STATUS
CONFERENCE STATEMENT**

Re: Dkt. No. 133

On March 7, 2014, this Court entered a stipulation staying this case in deference to state administrative proceedings. (Dkt. 124.) This Court has twice entered stipulations continuing the stay. (Dkts. 127, 131.) On August 3, 2015, the Parties filed a joint status update in which all Parties appear to agree that an extension of the stay for an additional six months is warranted. (Dkt. 133.) However, Plaintiff also expresses a concern in the status update as to the effect of this court's administrative closure of this case. (Id. at 3-4.) Given that "an order administratively closing a case is a docket management tool that has no jurisdictional effect" and that "has no legal consequence other than to remove [a] case from the district court's active docket," it is unclear whether the September 22, 2015 status conference is necessary. Dees v. Billy, 394 F.3d 1290, 1294 (9th Cir. 2005) (quoting Penn West Assocs., Inc. v. Cohen, 371 F.3d 118, 128 (3d Cir. 2004)). In light of the foregoing, the Court orders the Parties to meet and confer on whether to stipulate to a continuance of the status conference and an extension of the stay.

IT IS SO ORDERED.

Dated: August 4, 2015


ELIZABETH D. LAPORTE
United States Magistrate Judge